

REMARKS

Claims 1-21 are pending in this application. Claims 1, 10 and 17 are amended. No new matter is added.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cochran, U.S. Pat. No. 5,995,979 (hereinafter "Cochran"). This rejection is respectfully traversed.

Applicants submit that Cochran fails to disclose or suggest, "*inter alias*, a web-based interface for accessing the stored parameter value data and configured to automatically provide notification of modification to the stored parameter value data", as recited in claim 1, and similarly recited in claims 10 and 17.

Cochran merely discloses a method for managing the presentation of search terms on a computer terminal or other display device so that databases can be searched. Multiple lists search terms, such as words, symbols or phrases are displayed adjacent to list-identifiers (also referred to as index names or indexes). The search terms contained in the list are only those that are actually available in the database. A search of the data base is conducted based upon selected search terms from at least one of the multiple lists. The subset of records identified by the search is used to form new search terms that are then displayed on the display device. The user may then examine the new subset of search terms and either view one or all of the records located, further limit the search, or reset all or part of the search. (col. 8, line 54 – col. 9, line 23.) However, it is submitted that Cochran fails to disclose modifying the stored parameter value data. In fact, Cochran explicitly teaches that the original search terms are fixed and cannot be modified. (col. 9, lines 35-36.)

Accordingly, Cochran fails to disclose or suggest a web-based interface for accessing the stored parameter value data and configured to automatically provide notification of modification to the stored parameter value data, as recited in claim 1, and similarly recited in claims 10 and 17.

The Examiner further admits that Cochran fails to teach providing notification of modification to the parameter value data. Yet, the Examiner attempts to overcome the admitted deficiency of Cochran by arguing that “it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to add this feature to the system that enables the users can see choices in multiple lists before deciding which search term from which list best meets their interests.”

Applicants submit that there is no motivation to modify the teachings of Cochran with any expectation of success, at least because the parameter value data of Cochran cannot be modified. Thus, one of ordinary skill in the art would not have been motivated to modify the reference to render the claimed invention obvious, *In re Fritch*, 972 F.2d 1260, 1265, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992)(the Examiner can satisfy the burden of showing obviousness of the combination “only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art will lead that individual to combine the relevant teachings of the references.”).

Thus, the Examiner has not adequately supported the motivation to modify Cochran. The Examiner’s conclusory statement that it would have been obvious “to add this feature to the system that enables the users can see choices in multiple lists before deciding which search term from which list best meets their interests” does not adequately address the issue of motivation to modify. This factual question of motivation is material to patentability, and cannot be resolved on subjective belief and unknown authority.

Accordingly, for at least these reasons, claims 1, 10 and 17 and those claims dependent thereon are allowable over the applied art. Withdrawal of the rejection is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, reconsideration and allowance of each of claims 1-21 is earnestly solicited.

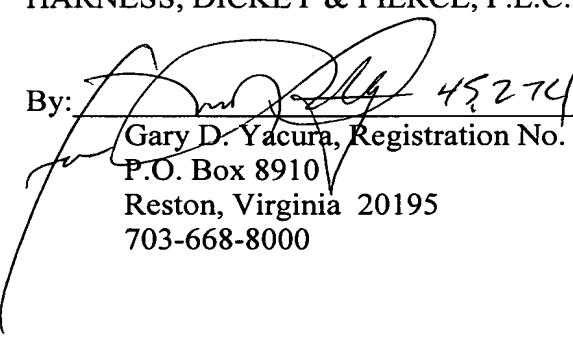
Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully submitted,

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